



## North Carolina Department of Environment and Natural Resources

Dexter Matthews, Director

Division of Waste Management

Beverly Eaves Perdue, Governor  
Dee Freeman, Secretary

March 2, 2012

CERTIFIED MAIL 7008 1140 0002 9558 8691  
RETURN RECEIPT REQUESTED

Mr. Tom Miller  
Lenoir County Construction and Demolition Landfill  
2949 Hodges Farm Rd.  
La Grange, NC 28551

SUBJECT:     **Notice of Deficiency**  
                  Compliance Inspection Report  
                  Lenoir County CDLF  
                  54-03  
                  Lenoir County

Dear Mr. Miller:

On February 22, 2012 Wes Hare, representing the State of North Carolina, Division of Waste Management Solid Waste Section ("Section"), inspected the above referenced facility for compliance with North Carolina Solid Waste Statutes and Rules. You were present representing Lenoir County. During this inspection, the following items were noted and/or observed:

- **Woody vegetation was growing on the landfill cap system. This is contradictory to 15A NCAC 13B .1627 (d) (1) (A), which states "Following closure of each MSWLF unit, the owner or operator shall conduct post-closure care. Post-closure care shall be conducted for 30 years, except as provided under Subparagraph (2) of this Paragraph, and consist of at least the following: (A) Maintaining the integrity and effectiveness of any cap system, including making repairs to the cover as necessary to correct the effects of settlement, subsidence, erosion, or other events, and preventing run-on and run-off from eroding or otherwise damaging the cap system;"**

The above deficiency may have or can compromise the facility's ability to ensure protection of the public health and the environment and thus require remedial action on behalf of the facility in order to achieve compliance with 15A NCAC 13B .1627 (d)(1)(A). By April 2, 2012, the facility must complete the following:

- **Remove all woody vegetative growth from the landfill cap system (top and side slopes).**

Failure to comply with this schedule may subject the facility and/or all responsible parties to enforcement actions including a notice of violation, civil penalty, injunction from operation of a solid waste management facility or a solid waste collection service and any such further relief as may be necessary to achieve

compliance with the North Carolina Solid Waste Management Act and Rules. Pursuant to N.C.G.S. 130A-22(a) and 15A NCAC 13B .0701-.0707, an administrative penalty of up to \$15,000.00 per day may be assessed for each violation of the Solid Waste Laws, Regulations, Conditions of a Permit, or an Order issued under Article 9 of Chapter 130A of the N.C. General Statutes.

If you have any questions, please contact me at 910.796.7405 or e-mail [wes.hare@ncdenr.gov](mailto:wes.hare@ncdenr.gov).

Sincerely,

Wes Hare  
Environmental Senior Specialist  
Solid Waste Section

copies:

- \* Mark Poindexter, Field Operations Branch Head
- \* Dennis Shackelford, District Supervisor
- \* Shawn McKee, Environmental Senior Specialist
- \* Michael W. Jarman, County Manager